



General Assembly

Amendment

February Session, 2006

LCO No. **5454**

SB0003405454SR0

Offered by:

SEN. FASANO, 34th Dist.

SEN. MCKINNEY, 28th Dist.

To: Subst. Senate Bill No. **34**

File No. 260

Cal. No. 221

(As Amended)

***"AN ACT REVISING THE PROCESS FOR THE TAKING OF REAL
PROPERTY BY MUNICIPALITIES FOR REDEVELOPMENT AND
ECONOMIC DEVELOPMENT."***

1 Strike subdivision (2) of subsection (e) of section 1 and insert the
2 following in lieu thereof:

3 "(2) (A) If real property acquired on or after the effective date of this
4 section is not used for the purpose for which it was acquired or for
5 some other public use and is subsequently offered for sale, the real
6 property shall be first offered for sale pursuant to subparagraph (B) of
7 this subdivision to the person from whom the real property was
8 acquired, or successors in interest of the person designated pursuant to
9 subparagraph (B) of this subdivision and approved by the probate
10 court for the district where the property is located, if any, for a price
11 not greater than the amount of compensation paid for such real
12 property, after any appeal or settlement, less (i) the value of any

13 structures or improvements removed from the real property by the
14 development agency or its designee after the real property was
15 acquired as set forth in the recorded findings, and (ii) the amount of
16 any depreciation, as defined in section 45a-542z. After the municipality
17 provides notice pursuant to subparagraph (B) of this subdivision, the
18 municipality may not sell such property to a third party unless the
19 municipality has permitted the person or named successors in interest
20 six months to exercise the right to purchase the property, and an
21 additional six months to finalize the purchase if the person or named
22 successors in interest provide the municipality with notice of intent to
23 purchase the property within the initial six-month period.

24 (B) For the purposes of any offer of sale pursuant to this
25 subdivision, the municipality shall provide a form to any person
26 whose property is acquired pursuant to this section to permit such
27 person to provide an address for notice of sale to be sent, or to provide
28 the name and address of an agent to receive such notice. Such form
29 shall be designed to permit the person to designate successors in
30 interest of the person who shall be eligible to purchase such property
31 pursuant to this subdivision. The person or agent shall update
32 information in the form in writing. If the person or agent does not
33 provide or update the information in the form in a manner that
34 permits the municipality to send notice of sale pursuant to this
35 subsection, no such notice shall be required."

36 Strike subdivision (2) of subsection (i) of section 5 and insert the
37 following in lieu thereof:

38 "(2) (A) If real property acquired on or after the effective date of this
39 section is not used for the purpose for which it was acquired or for
40 some other public use and is subsequently offered for sale, the real
41 property shall be first offered for sale pursuant to subparagraph (B) of
42 this subdivision to the person from whom the real property was
43 acquired, or successors in interest of the person designated pursuant to
44 subparagraph (B) of this subdivision and approved by the probate
45 court for the district where the property is located, if any, for a price

46 not greater than the amount of compensation paid for such real
47 property, after any appeal or settlement, less (i) the value of any
48 structures or improvements removed from the real property by the
49 development agency or its designee after the real property was
50 acquired as set forth in the recorded findings, and (ii) the amount of
51 any depreciation, as defined in section 45a-542z. After the municipality
52 provides notice pursuant to subparagraph (B) of this subdivision, the
53 municipality may not sell such property to a third party unless the
54 municipality has permitted the person or named successors in interest
55 six months during which to exercise the right to purchase the property,
56 and an additional six months to finalize the purchase if the person or
57 named successors in interest provide the municipality with notice of
58 intent to purchase the property within the initial six month period.

59 (B) For the purposes of any offer of sale pursuant to this
60 subdivision, the municipality shall provide a form to any person
61 whose property is acquired pursuant to this section to permit such
62 person to provide an address for notice of sale to be sent, or to provide
63 the name and address of an agent to receive such notice. Such form
64 shall be designed to permit the person to designate successors in
65 interest of the person who shall be eligible to purchase such property
66 pursuant to this subdivision. The person or agent shall update
67 information in the form in writing. If the person or agent does not
68 provide or update the information in the form in a manner that
69 permits the municipality to send notice of sale pursuant to this
70 subsection, no such notice shall be required."

71 Strike subdivision (2) of subsection (b) of section 6 and insert the
72 following in lieu thereof:

73 "(b) (1) On and after the effective date of this section, on the date a
74 certificate of taking is filed pursuant to section 8-129, as amended by
75 this act, for property acquired by eminent domain pursuant to this
76 section, the development agency shall record with the certificate of
77 taking separate findings that itemize the value of the real property and
78 any structures or improvements on the real property so acquired.

79 (2) (A) If real property acquired on or after the effective date of this
80 section is not used for the purpose for which it was acquired or for
81 some other public use and is subsequently offered for sale, the real
82 property shall be first offered for sale pursuant to subparagraph (B) of
83 this subdivision to the person from whom the real property was
84 acquired, or successors in interest of the person designated pursuant to
85 subparagraph (B) of this subdivision and approved by the probate
86 court for the district where the property is located, if any, for a price
87 not greater than the value documented in the recorded findings, less (i)
88 the value of any structures or improvements removed from the real
89 property by the development agency or its designee after the real
90 property was acquired as set forth in the recorded findings, and (ii) the
91 amount of any depreciation, as defined in section 45a-542z. After the
92 municipality provides notice pursuant to subparagraph (B) of this
93 subdivision, the municipality may not sell such property to a third
94 party unless the municipality has permitted the person or named
95 successors in interest six months during which to exercise the right to
96 purchase the property, and an additional six months to finalize the
97 purchase if the person or named successors in interest provide the
98 municipality with notice of intent to purchase the property within the
99 initial six month period.

100 (B) For the purposes of any offer of sale pursuant to this
101 subdivision, the municipality shall provide a form to any person
102 whose property is acquired pursuant to this section to permit such
103 person to provide an address for notice of sale to be sent, or to provide
104 the name and address of an agent to receive such notice. Such form
105 shall be designed to permit the person to designate successors in
106 interest of the person who shall be eligible to purchase such property
107 pursuant to this subdivision. The person or agent shall update
108 information in the form in writing. If the person or agent does not
109 provide or update the information in the form in a manner that
110 permits the municipality to send notice of sale pursuant to this
111 subsection, no such notice shall be required."